



Australian Government
Refugee Review Tribunal

Country Advice

China

China – CHN37437 – Beijing – Organised
crime – Police – Internal relocation

24 September 2010

1. Is there information about local police corruption in Beijing and about police being associated with mafia elements?

Although no information was found on police corruption in Beijing specifically, the information located indicates that the organised crime nexus between criminal groups, local politicians and police is a country-wide and growing problem in China, although criminal groups tend to have a local focus.¹ The US Department of State (USDOS) reports that corruption at the local level is widespread (including among security officials).²

A 2008 *Stratfor* article notes that although organised crime is present throughout China, it is more concentrated in the south-eastern provinces, partly because of their geographical and cultural separation from the central government in Beijing. The article also notes, however, that as long as the relationship between criminal groups and local authorities stay at a local level, they remain under the radar of the central government.³

An April 2010 media article refers to Chaoyang district as an area “blighted by crime and social problems”.⁴ Another article refers to a prostitution operation run by criminal gangs in Chaoyang.⁵ It would seem likely that organised crime connections with local politicians and police in Chaoyang district would be a problem similar to that elsewhere in China, although the extent of the problem may be mitigated somewhat by the fact that Beijing is governed as a municipality under direct administration of the central government.⁶

Organised crime nexus

Organised crime in China tends to be made up of a small group of individuals no greater than 200 people, who operate in an extremely localised area. Criminal groups rely on corrupt local politicians and officials who have sway over the police. Expansion beyond a localised area is restricted as the central government cracks down heavily on any threat of

¹ UK Home Office 2010, *Country of Origin Information Report – China*, 8 January, paras 8.15-8.18/pp. 27-28 – Attachment 1.

² US Department of State 2010, *2009 Human Rights Report: China*, 11 March, Section 1.d – Attachment 2.

³ ‘Organised Crime in China’ 2008, *Stratfor Today*, 19 August – Attachment 3.

⁴ ‘Beijing reveals list of 150 areas blighted by crime and social problems’ 2010, *Asia One*, source: China Daily/Asia News Network, 16 April <http://www.asiaone.com/News/Latest+News/Asia/Story/A1Story20100416-210745.html> – Accessed 23 September 2010 – Attachment 4.

⁵ ‘Popular venues in China closed in police crackdown’ 2010, *Asia One*, source: China Daily/Asia News Network, 15 May <http://www.asiaone.com/News/AsiaOne+News/Crime/Story/A1Story20100515-216379.html> – Accessed 23 September 2010 – Attachment 5.

⁶ ‘Beijing- Administration and society’ 2008, *Britannica Online Encyclopedia* <http://www.britannica.com/EBchecked/topic/448956/Beijing/232381/Administration-and-society#toc=toc232382> – Accessed 23 September 2010 – Attachment 6.

organised crime groups becoming nationwide.⁷ The latest UK Home Office report states: “Triad-like groups may be strong and have solid connections with some officials and police officers, but their reach does not go beyond their own province, and often their own city.”⁸ The Ministry of Public Security (MPS) has recently enlarged its national division devoted to investigating gang-related crimes and it aims to create special units devoted to this problem at the provincial and city-level.⁹

State protection from criminal gang activity is seriously limited in China by the strong association that can exist between criminals and officials, decreasing the likelihood that police will act against gangsters.¹⁰ Numerous sources point to links between criminal gangs, government officials and police as limiting the government’s ability to control criminal activities. For example, in 2008 *Stratfor* concluded that the organised crime that occurs in China does so largely with the cooperation of corrupt local authorities.¹¹ In 2009 *The Guardian* reported “local governments had ‘essentially lost control’ over organised criminal activity” and that the problem is partly of their own making: “corrupt officials not only shelter and benefit from crime, but use hired thugs to enforce decisions.” The *Guardian* article also states that “triad-related activities are still going strong, and there are still police protecting them”.¹²

The latest UK Home Office country report on China includes a section which collates sources on organised crime. Salient points include:

- Organised crime is on the rise in China;
- Crime is entrenched in modern China and corrupt officials co-operate with criminals;
- There are various efforts being made by the Chinese government to tackle organised crime;
- Triad-related activities are still going strong, and there are still police protecting them;
- There are solid connections between triad-like groups and some politicians/police officers but their reach does not go beyond their own province.¹³

⁷ ‘Organised Crime in China’ 2008, *Stratfor Today*, 19 August – Attachment 3; Chen, A. 2005, ‘Secret Societies and Organized Crime in Contemporary China’, *Modern Asia Studies*, vol. 39, no. 1, p.81 – Attachment 7.

⁸ UK Home Office 2010, *Country of Origin Information Report – China*, 8 January, paras 8.15-8.18/pp. 27-28 – Attachment 1

⁹ ‘7 executed for gang crimes in N. China’ 2010, China.org website, source: *Xinhua*, 8 January http://www.china.org.cn/china/2010-01/08/content_19200157.htm – Accessed 29 January 2010 – Attachment 8; ‘Gang-busting unit set to expand’, 2010, China.org website, source: *China Daily*, 11 January http://www.china.org.cn/china/2010-01/11/content_19213164.htm – Accessed 29 January 2010 – Attachment 9.

¹⁰ Chin, K.L., & Godson, R. 2006, ‘Organized Crime and the Political-Criminal Nexus in China’, *Trends in Organized Crime*, vol. 9, no. 3, p.6, 30 – Attachment 10; ‘Organised Crime in China’ 2008, *Stratfor Today*, 19 August – Attachment 3.

¹¹ ‘Organised Crime in China’ 2008, *Stratfor Today*, 19 August – Attachment 3.

¹² Branigan, T. 2009, ‘Godmother of the underworld jailed in China’, *The Guardian*, 3 November <http://www.guardian.co.uk/world/2009/nov/03/china-jails-godmother-underworld> – Accessed 23 September 2010 – Attachment 11.

¹³ UK Home Office 2010, *Country of Origin Information Report – China*, 8 January, paras 8.15-8.18/pp. 27-28 – Attachment 1

The relevant extract from the UK Home Office report follows in full:

Protection of witnesses/organised crime

8.15 Article 49 of the Criminal Procedure Law and Articles 306 to 308 of the Criminal Law provide for the protection of witnesses. [5h] [5i] However, as noted by the Canadian IRB on 26 January 2004, these provisions are rarely applied in practice. [3a] On 22 December 2008 the BBC reported:

“China plans to launch a special campaign to combat mafia-style gangs, according to a state newspaper. As well as tackling drug trafficking and prostitution, crimes caused by rising unemployment will be targeted, the China Daily newspaper reports. The paper says police will also focus on rooting out corrupt government officials who shelter gangsters. Analysts say China’s economic downturn may lead to higher crime rates as thousands of people face unemployment... Organised crime is on the rise in China, and courts across the country saw a 160% annual increase in gang-related crime in 2007. ‘Gang-related crimes have become a threat to our social stability and the economy,’ one un-named official from the Public Security Bureau told the China Daily. ‘Murder, rape, robbery, kidnapping, assault... they dare do anything,’ the official said. He said the construction, transport and mining sectors were all areas that attracted gang crime, but warned that other industries were also increasingly being affected.” [9w]

8.16 According to a report by Asia Times dated 21 October 2005, “Triad-like groups may be strong and have solid connections with some officials and police officers, but their reach does not go beyond their own province, and often their own city.” [64g] On 5 May 2006 the Canadian IRB recorded, “According to a 2005 article in The Economist, the ability of Chinese authorities to control ‘village-level thuggery’ is ‘clearly limited’ (13 Oct. 2005). However, several sources consulted by the Research Directorate report various efforts being made by the Chinese government to tackle organized crime.” [3k]

8.17 On 19 August 2009 The Guardian reported:

“According to official figures released last month by an agency working under the Communist Party’s Central Committee, police have eliminated 1,221 gangs since 2006 and arrested more than 87,300 suspects... Organised crime is growing in China, thanks to factors including economic liberalisation, increasing migration, growing inequality and official corruption. People trafficking, drug smuggling, illegal gambling and extortion are all lucrative. ‘Gang-related crimes have become a threat to social stability and the economy,’ a Public Security Bureau official told China Daily last year. ‘Murder, rape, robbery, kidnapping, assault... they dare do anything.’ But private intelligence firm Stratfor said that, unlike in Russia and Italy, organised crime was ‘extremely localised’. When groups began to outgrow their local area, the government cracked down with harsh penalties.” [41o]

8.18 On 3 November 2009 The Guardian reported:

“Last month the Chongqing courts sentenced six gangsters to death for murder, machete attacks and price fixing. Senior police and officials and powerful businesspeople were among the 1,500 people detained in the huge crackdown. But the case has underlined the extent to which crime is entrenched in modern China and corrupt officials have co-operated with criminals. ‘The facts prove that after the last round of crackdowns [in Chongqing in 2000], triad-related activities are still going strong, and there are still police protecting them,’ Chen Zhonglin, dean of the law school at Chongqing University, told Caijing... Pledges to tackle gangs are nothing new. But Chongqing’s crackdown has netted an array of suspects,

including 14 high-ranking officials plus influential business people and police officers... Professor Ming Xia of the City University of New York, who studies China's criminal underworld, told Associated Press that an internal police ministry report estimated up to three million people were involved in organised crime in 2004. He said the true figure might be higher, adding that local governments had 'essentially lost control' over such activity. The problem is partly of their own making, he said: corrupt officials not only shelter and benefit from crime, but use hired thugs to enforce decisions." [41p]¹⁴

2. Deleted.

3. Is there any information to suggest that if a citizen has had problems with the local police in, say, Beijing, information about that citizen might be shared by the police with police in, say, Shenzhen, if the citizen were to relocate there?

Relocation may be difficult for someone if the local police are cooperating with local gangsters. Permanent relocation may be ruled out in this circumstance as official *hukou* conversion requires formal notification to and approval from the local public security bureau in both the new and old places of residence.¹⁵

Hukou Registration

Available information indicates that internal migration in China is legally controlled through the *hukou* or household registration system. The Chinese *hukou* registration – a type of internal passport – and the system which governs it regulates and restricts population mobility within the country. Each citizen is allowed one permanent *hukou* at only one *hukou* zone. Permanent movement outside one's *hukou* zone requires authorisation/notification through the local Public Security Bureau (PSB) in the new and old *hukou* zone. Sources report that many people relocate in China illegally and thus do not gain *hukou* registration in their new area of residence. *Hukou* documentation is, however, required for education, marriage, gaining a passport, travel, employment and business licenses.¹⁶

A 2005 Issue Paper by the Canadian Immigration and Refugee Board (IRB) provides information on the process for an individual seeking to legally change their permanent residential address. According to the report an individual must gain permission from the PSB:

Hukou issuance is the responsibility of the PSB (Carrillo 8 Dec. 2004; Canadian Consulate General in Hong Kong 9 Dec. 2004; Wang 9 Jan. 2005). **While people can travel relatively freely within China, in order to legally change permanent residence, one still needs approval from the PSB (ibid.).** Except for persons who are performing their military service, household registration is issued by the PSB office in the place of permanent *hukou* registration (Canadian Consulate General in

¹⁴ UK Home Office 2010, *Country of Origin Information Report – China*, 8 January, paras 8.15-8.18/pp. 27-28 – Attachment 1

¹⁵ Immigration and Refugee Board of Canada 2005, *China: Reforms of the Household Registration System (Hukou) (1998-2004)*, February, Sections 2 & 7.1 – Attachment 12

¹⁶ Immigration and Refugee Board of Canada 2005, *China: Reforms of the Household Registration System (Hukou) (1998-2004)*, February, Sections 2 & 7.1 – Attachment 12; Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford University Press, Stanford, pp. 63-67 – Attachment 13.

Hong Kong 9 Dec. 2004), which is sometimes not the place of residence (Wang 9 Jan. 2005).

...If a request to change a person's permanent *hukou* residence is approved, the individual must notify the PSB office in the original *hukou* zone to have his/her name deleted, as well as notify the PSB in the new *hukou* zone, where his/her name would be registered (Wang 9 Jan. 2005). This notification should be done within 30 days (*ibid.*). According to Beatriz Carrillo, in practice, migrants tend to seek prior approval only when travelling between provinces or to larger urban areas (8 Dec. 2004). Intra-provincial migrants, on the other hand, are less likely to register with the *hu kou* authorities, since they can blend more easily with the local population (Carrillo 8 Dec. 2004)¹⁷

Attachments

1. UK Home Office 2010, *Country of Origin Information Report – China*, 8 January.
2. US Department of State 2010, *2009 Human Rights Report: China*, 11 March.
3. 'Organised Crime in China' 2008, *Stratfor Today*, 19 August.
4. 'Beijing reveals list of 150 areas blighted by crime and social problems' 2010, *Asia One*, source: China Daily/Asia News Network, 16 April
<http://www.asiaone.com/News/Latest+News/Asia/Story/A1Story20100416-210745.html> – Accessed 23 September 2010.
5. 'Popular venues in China closed in police crackdown' 2010, *Asia One*, source: China Daily/Asia News Network, 15 May
<http://www.asiaone.com/News/AsiaOne+News/Crime/Story/A1Story20100515-216379.html> – Accessed 23 September 2010.
6. 'Beijing- Administration and society' 2008, *Britannica Online Encyclopedia*
<http://www.britannica.com/EBchecked/topic/448956/Beijing/232381/Administration-and-society#toc=toc232382> – Accessed 23 September 2010.
7. Chen, A. 2005, 'Secret Societies and Organized Crime in Contemporary China', *Modern Asia Studies*, vol. 39, no. 1.
8. '7 executed for gang crimes in N. China' 2010, China.org website, source: *Xinhua*, 8 January http://www.china.org.cn/china/2010-01/08/content_19200157.htm – Accessed 29 January 2010.
9. 'Gang-busting unit set to expand', 2010, China.org website, source: *China Daily*, 11 January http://www.china.org.cn/china/2010-01/11/content_19213164.htm – Accessed 29 January 2010.
10. Chin, K.L., & Godson, R. 2006, 'Organized Crime and the Political-Criminal Nexus in China', *Trends in Organized Crime*, vol. 9, no. 3, p.6, 30.

¹⁷ Immigration and Refugee Board of Canada 2005, *China: Reforms of the Household Registration System (Hukou) (1998-2004)*, February, Section 2 & 7.1 – Attachment 12.

11. Branigan, T. 2009, 'Godmother of the underworld jailed in China', *The Guardian*, 3 November <http://www.guardian.co.uk/world/2009/nov/03/china-jails-godmother-underworld> – Accessed 23 September 2010.
12. Immigration and Refugee Board of Canada 2005, *China: Reforms of the Household Registration System (Hukou) (1998-2004)*, February, Sections 2 & 7.1.
13. Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford University Press, Stanford, pp. 63-67.